IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.409 OF 2005

Simala Basantlal Gupta & ors. ... Applicants

versus

The State of Maharashtra ... Respondent

...

Mr. A.K. Singh, for the Applicants.

Mr. V.B. Konde Deshmukh, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

31st January 2005

P.C.:

1. Having regard to the averments made in para 7 of the Application, although the Applicants have directly approached this Court by way of anticipatory bail application, and further that the learned A.P.P. states that so far no offence has been registered against the Applicants, in my opinion, the Respondent needs to be directed to give 72 hours' advance notice

to the Applicants in the event the concerned police officer intends to arrest the Applicants in connection with any offence to be lodged hereafter so as to enable the Applicants to take recourse to remedy as may be permissible by law. On receiving such notice from the concerned police officer, it will be open to the Applicants to approach in the first place the Sessions Court by way of anticipatory bail application. Ordered accordingly. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)